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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION SEVEN

In re Jesus S., a Person Coming Under the
Juvenile Court Law.

B221009

(Los Angeles County
Super. Ct. No. YJ33590)

THE PEOPLE,

Plaintiff and Respondent,

v.

Jesus S.,

Defendant and Appellant.

APPEAL from an order of the Superior Court of Los Angeles County,
Irma J. Brown, Judge. Affirmed.

Lea Rappaport Geller, under appointment by the Court of Appeal, for Defendant
and Appellant.

No appearance for Plaintiff and Respondent.

On July 28, 2009 Los Angeles Police Officer Tae Kim was patrolling an area in which a number of bicycle thefts had recently been reported. At an intersection he saw Jesus S., then 16 year-old, riding a bicycle. Jesus S. was holding a backpack in one hand and carrying a large object wrapped in a sweatshirt in the other hand. Jesus S. looked at Officer Kim and sped away, riding his bicycle through a red light.

After Officer Kim initiated a traffic stop, Jesus S. volunteered he was holding a bolt cutter, not a gun, and dropped the bolt cutter on the ground. Officer Kim took Jesus S. into custody and advised him of his right to remain silent, to the presence of an attorney and, if indigent, to appointed counsel (*Miranda v. Arizona* (1966) 384 U.S. 436 [86 S.Ct. 1602, 16 L.Ed.2d 694]). Jesus S. agreed to speak to Officer Kim. During the interview, Jesus S. admitted he had stolen the bicycle and showed Officer Kim the carport from where he had taken it.

The People filed a petition pursuant to Welfare and Institutions Code section 602 against Jesus S. on September 18, 2009, alleging one count of residential burglary (Pen. Code, § 459). Following a consolidated jurisdiction and suppression hearing, the juvenile court denied Jesus S.'s motion to suppress evidence (Welf. & Inst. Code, § 700.1) and sustained the petition, finding the People had proved beyond a reasonable doubt that Jesus S. had committed residential burglary.

Pursuant to a negotiated disposition, Jesus S. agreed to being suitably placed in a residential drug treatment facility; and the People agreed to dismiss a second Welfare and Institutions Code section 602 petition filed September 17, 2009, alleging Jesus S. had committed two counts of assault and battery against his mother. The juvenile court declared Jesus S. to be a ward of the court, ordered him to be suitably placed in a residential drug treatment facility and calculated the maximum period of confinement as six years.¹ The petition for assault and battery was dismissed by the court on the People's motion.

¹ At the disposition hearing the juvenile court erroneously stated the maximum period confinement was "five years," but the minute order from the hearing correctly reflects six years (see Pen. Code, § 461).

We appointed counsel to represent Jesus S. on appeal.

After examination of the record counsel filed an opening brief in which no issues were raised. On April 26, 2010 we advised Jesus S. he had 30 days within which to personally submit any contentions or issues he wished us to consider. No response has been received to date.

We have examined the entire record and are satisfied Jesus S.'s attorney has fully complied with the responsibilities of counsel and no arguable issues exist. (*Smith v. Robbins* (2000) 528 U.S. 259, 277-284 [120 S.Ct. 746, 145 L.Ed.2d 756]; *People v. Kelly* (2006) 40 Cal.4th 106, 112-113; *People v. Wende* (1979) 25 Cal.3d 436, 441.)

The order is affirmed.

PERLUSS, P. J.

We concur:

WOODS, J.

JACKSON, J.